

AGENDA

SPECIAL MEETING BOARD OF MAYOR AND ALDERMEN (PUBLIC HEARING-PROPOSED CHARTER AMENDMENT)

August 2, 2005

**6:15 PM
Aldermanic Chambers
City Hall (3rd Floor)**

1. Mayor Baines calls the meeting to order.
2. Mayor Baines calls for the Pledge of Allegiance.

A moment of silent prayer is observed.
3. The Clerk calls the roll.
4. Mayor Baines advises that the purpose of the special meeting is to hear those wishing to speak with regard to consideration of a proposed change to the Manchester City Charter by deleting Section 8.05 Incompatibility of Office and replacing it with a new Section 8.05 Incompatibility of Office; that anyone wishing to speak must first step to the nearest microphone when recognized, recite his/her name and address in a clear, loud voice for the record; that each person will be given only one opportunity to speak; that comments shall be limited to three minutes to allow all participants the opportunity to speak and any comments must be directed to the Chair.
5. Mayor Baines requests the Clerk present the proposed amendment to the Manchester City Charter:

§8.05 Incompatibility of Office.

- (a) No elected city official shall be employed by the city or by the school district until completion of the term for which the official was elected.
- (b) Acceptance of an elected office by a city or by a school district employee shall result in termination of employment.

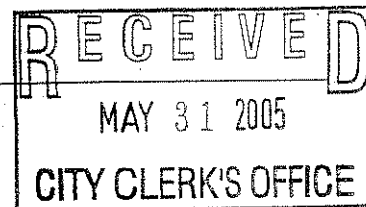
6. Mayor Baines calls for those wishing to speak.
7. Mayor Baines advises that all wishing to speak having been heard, the testimony presented will be taken under advisement and considered by the Board of Mayor and Aldermen.
8. Mayor Baines advises that this being a special meeting of the Board, no further business can be presented, and a motion to adjourn would be in order.



CITY OF MANCHESTER


OFFICE OF THE MAYOR

Robert A. Baines
Mayor



May 31, 2005

To: Board of Mayor and Aldermen

From: Bob Baines 

Re: Charter Amendment

I asked the city solicitor to draft an amendment to the City Charter to prohibit any elected official from securing city or school district employment during the term for which the official has been elected and for one year thereafter.

I am asking you to send this amendment to a public hearing as required.

I believe this amendment is in the best interest of good government for our city.

Thank you for your consideration of this amendment.

The present City Charter (Section 8:05) is as follows:

No elected public official shall be employed by the city or school district during the official's term in office. Acceptance of elected office by a city or school district employee shall result in termination of employment.

July 19, 2005.

In Board of Mayor and Aldermen.

On motion of Alderman Porter, duly seconded by Alderman O'Neil, it was voted to amend the proposed charter amendment by deleting the verbage "one (1) year has elapsed from the" to now read "(a) No elected city official shall be employed by the city or by the school district until completion of the term for which the official was elected.", and that the amended version be referred to a public hearing on Tuesday, August 2, 2005 at 6:15 PM in the Aldermanic Chambers.



City Clerk

June 7, 2005.

In Board of Mayor and Aldermen.

On motion of Alderman Shea, duly seconded by Alderman Osborne, it was voted to refer the charter amendment to public hearing on Tuesday, July 19, 2005 at 5:30 PM in the Aldermanic Chambers of City Hall.


City Clerk



**City of Manchester
Office of the City Solicitor**

One City Hall Plaza
Manchester, New Hampshire 03101
(603) 624-6523 Fax (603) 624-6528
TTY: 1-800-735-2964
Email: solicitor@ci.manchester.nh.us

Thomas R. Clark
City Solicitor

Thomas I. Arnold, III
Deputy City Solicitor

Daniel D. Muller, Jr.
~~Kenneth R. Bernard~~
Michele A. Battaglia
Marc van Zanten

May 25, 2005

Robert A. Baines, Mayor
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Re: **City Charter Section 8.05**

Dear Mayor Baines:

As requested, I am forwarding a draft charter amendment that would prohibit an elected city official from being employed by the City or the School District until a period of one year has elapsed from the completion of the term for which they were elected.

If you so desire, the procedures set forth in RSA 49-B:5 must be followed:

1. The draft must be submitted to the Board of Mayor and Aldermen. The Board of Mayor and Aldermen may then order the draft to public hearing with at least seven (7) days prior notice being published in the newspaper.
2. Within seven (7) days after the public hearing, the Board of Mayor and Aldermen may order the amendment to be placed on the ballot at the next regular municipal election held not less than sixty (60) days after the order is passed.

If you have any questions, feel free to contact me.

Very truly yours,

Thomas R. Clark
City Solicitor

TRC/hr
Enclosure

DRAFT

Amending the Charter of the City of Manchester by deleting Section 8.05 Incompatibility of Office and replacing it with a new Section 8.05 Incompatibility of Office as follows:

§ 8.05 INCOMPATIBILITY OF OFFICE.

(a) No elected city official shall be employed by the city or by the school district until one (1) year has elapsed from the completion of the term for which the official was elected.

(b) Acceptance of an elected office by a city or by a school district employee shall result in termination of employment.